

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Mr. Leroy Lockett,)	C/A NO. 0:13-2115-CMC-PJG
)	
Plaintiff,)	
)	OPINION and ORDER
v.)	
)	
Ms. S. Bracey Simon, Lee Correctional)	
Postal/Mailroom Staff;)	
Associate Warden J.J. Brooks, Jr.,)	
)	
Defendants.)	
_____)	

This matter is before the court on Plaintiff's *pro se* complaint, filed in this court pursuant to 42 U.S.C. § 1983.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(d), DSC, this matter was referred to United States Magistrate Judge Paige J. Gossett for pre-trial proceedings and a Report and Recommendation ("Report"). On September 26, 2013, the Magistrate Judge issued a Report recommending that the complaint be dismissed without prejudice and without issuance and service of process. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. After receiving two extensions of time, Plaintiff filed timely objections to the Report on November 6, 2013.

Plaintiff's objections were conclusory and repetitive reassertions of the factual allegations contained in the complaint and his belief that he is entitled to relief. At the end of his fifty-eight (58) pages of objections, Plaintiff indicated that together with an order vacating his state court conviction, Plaintiff seeks compensatory and punitive damages for the alleged violations of his constitutional rights. *See* Obj. at 56-57 (ECF No. 20). Plaintiff did not include this requested relief in his

complaint. On November 13, 2013, this court directed Plaintiff to file an amended complaint to include all the relief he seeks by November 27, 2013. On November 26, Plaintiff gave his amended complaint to prison authorities. It was received for filing on December 2, 2013.

Accordingly, this matter is re-referred to the United States Magistrate Judge for an evaluation of Plaintiff's allegations and requested relief.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
December 4, 2013